

1 Kevin L. Hernandez, Esq.  
2 Nevada Bar No. 12594  
**LAW OFFICE OF KEVIN L.**  
3 **HERNANDEZ**  
4 9555 S. Eastern Avenue, Suite 220A  
5 Las Vegas, Nevada 89123  
T: (702) 563-4450  
F: (702) 552-0408  
[kevin@kevinhernandezlaw.com](mailto:kevin@kevinhernandezlaw.com)  
6 *Attorney for Plaintiff*

7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 HERBERT FRANKLIN III, an individual;

Case No.: 2:16-cv-00044-APG-GWF

10 Plaintiff,

11 v.

12 EXPERIAN INFORMATION SOLUTIONS,  
13 INC., a foreign corporation; CAPITAL ONE  
14 BANK USA, N.A., a national banking  
association;

15 Defendants.

16 **STIPULATION AND ORDER FOR  
DISMISSAL OF DEFENDANT  
EXPERIAN INFORMATION  
SOLUTIONS, INC. WITH PREJUDICE**

17 Plaintiff, Herbert Franklin III, and Defendant, Experian Information Solutions, Inc.  
18 (“Experian”) (collectively referred to as “Parties”) have resolved all claims, disputes, and  
19 differences between the Parties in the above-referenced matter;

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1           Therefore, the Parties, by and through their respective attorneys of record, and subject to  
2 the court's approval, respectfully request dismissal of the above-captioned matter with prejudice  
3 under FRCP 41(a)(1)(A)(ii) as to Experian, with each party bearing their own attorneys' fees and  
4 costs incurred in this action.

5 Respectfully Submitted.

6 Dated: October 5, 2016

7 **LAW OFFICE OF  
8 KEVIN L. HERNANDEZ**

9 /s/ Kevin L. Hernandez  
10 Kevin L. Hernandez, Esq.  
Nevada Bar No. 12594  
11 9555 S. Eastern Avenue, Suite 220A  
Las Vegas, Nevada 89123  
[kevin@kevinhernandezlaw.com](mailto:kevin@kevinhernandezlaw.com)  
12 Attorney for Plaintiff

Dated: October 5, 2016

**SNELL & WILMER LLP**

9 /s/ V.R. Bohman  
10 V.R. Bohman, Esq.  
Nevada Bar No. 13075  
11 3883 Howard Hughes Parkway, Suite 1100  
Las Vegas, Nevada 89169  
[vbohman@swlaw.com](mailto:vbohman@swlaw.com)  
12 Attorney for Defendant Experian Information  
Solutions, Inc.

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15 **ORDER OF DISMISSAL WITH PREJUDICE AS TO DEFENDANT EXPERIAN**  
**INFORMATION SOLUTIONS, INC.**

16 Pursuant to the stipulation of the Parties under FRCP 41(a)(1)(A)(ii), this case is  
17 dismissed with prejudice as between Plaintiff and Experian. Plaintiff and Experian will bear their  
18 own attorneys' fees and costs incurred in this action.

19  
20 **IT IS SO ORDERED:**

21  
22   
UNITED STATES DISTRICT JUDGE

23 DATED: October 5, 2016

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing **STIPULATION AND ORDER FOR DISMISSAL OF DEFENDANT EXPERIAN INFORMATION SOLUTIONS, INC. WITH PREJUDICE** was electronically served via the U.S. District Court CM/ECF filing system to the following party:

V.R. Bohman, Esq.  
**SNELL & WILMER LLP**  
3993 Howard Hughes Parkway  
Suite 1100  
Las Vegas, Nevada 89169  
[vbohman@swlaw.com](mailto:vbohman@swlaw.com)  
*Attorney for Defendant Experian Information Solutions, Inc.*

Andrea Mazingo, Esq.  
**JONES DAY**  
3161 Michelson Drive, Suite 800  
Irvine, California 92612  
[amazing@jonesday.com](mailto:amazing@jonesday.com)  
*Attorney for Defendant Experian Information Solutions, Inc.*

Dated: October 5, 2016

/s/ Caesy Morales.  
An Employee of the Law Office of Kevin L  
Hernandez